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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/076,634

Filing Date

February 19, 2002

First Named Inventor

Paul HABERMANN et al.

Art Unit

1645

Examiner Name

DUFFY, Patricia A.

Attorney Docket Number

DEAV2001/0009 US NP

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

Remarks

1. Reply to Office Communication - (8 pages)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

AVENTIS PHARMACEUTICALS INC.

Signature

Printed name

Joel B. German

Date

January 5, 2005

Reg. No.

48,676

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Jonas Pierre, Sr.

Date

January 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
CENTRAL FAX CENTER**In re Application of  
**HABERMANN Et Al.**

Examiner: DUFFY, Patricia A.

JAN 05 2005

Serial No.: 10/076,634

Art Unit: 1645

Filed: February 19, 2002

Title: **FUSION PROTEINS CAPABLE OF  
BEING SECRETED INTO A  
FERMENTATION MEDIUM**I hereby certify that this correspondence is being  
transmitted via facsimile to the Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450, care of Art  
Unit 1645, at 703-305-3014 onJanuary 5, 2005  
Date of DepositJames H. Harte, Sr.  
Printed Name of Person Signing Certificate

Signature

**AMENDMENT**Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This correction is in response to the "Notice of Non-Compliant Amendment" issued December 20, 2004 for the above-identified application. The Examiner stated in that Notice that the Applicants' response of October 4, 2004 did not comply with the requirements of 37 CFR 1.121(c). Specifically, claim 24 contained the status identifier "New" but showed markings (i.e., underline and strike-through text). The Applicants have removed those markings, incorporating the changes they designate, and request that the Examiner replace the "Claim Amendments" section found in the response of October 4, 2004 with the "Corrected Amendments to the Claims" beginning on page 2 of this paper. This change to claim 24 is the only difference between the "Corrected Amendments to the Claims" below and the "Claim Amendments" section of the October 4, 2004 filing.

The Applicants respectfully request that the Examiner enter the Amendments filed October 4, 2004, as corrected by today's filing, and reconsider all of the pending claims.

The Applicants do not believe that any fees are due with this filing. However, the Applicants authorize the Commissioner to charge any fees or credit any overpayment necessitated by this amendment to Deposit Account No. 18-1982

Please amend the Claims as set forth in the listing of claims beginning on page 2.

DEAV2001/0009 US NP  
Serial No.: 10/076,634

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